

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT ANNABEL II,

Plaintiff,

v.

NORBERT FRONCZAK,

Defendant.

Case No. 23-cv-11123

Honorable Robert J. White
Magistrate Judge Curtis Ivy, Jr.

**ORDER OVERRULING PLAINTIFF’S OBJECTION AND AFFIRMING
THE PORTION OF THE MAGISTRATE JUDGE’S ORDER DENYING
PLAINTIFF’S MOTION TO CONSOLIDATE CASES**

Before the Court is Magistrate Judge Curtis Ivy, Jr.’s October 18, 2024 order denying, among other things, Robert Annabel II’s motion to consolidate this case with a subsequent action that he commenced against the same defendant, Norbert Fronczak. (ECF Nos. 31, 34). Annabel timely objected to the portion of the order denying his motion to consolidate the cases pursuant to Fed. R. Civ. P. 72(a). (ECF No. 35). Fronczak did not respond.

District courts may “reconsider” a magistrate judge’s decision on a non-dispositive “pretrial matter” only if it is “clearly erroneous or contrary to law.” 28 U.S.C. § 636(b)(1)(A); *see also* Fed. R. Civ. P. 72(a). “A factual finding is clearly erroneous when, although there is evidence to support it, the reviewing court on the

entire evidence is left with the definite and firm conviction that a mistake has been committed.” *Bisig v. Time Warner Cable, Inc.*, 940 F.3d 205, 219 (6th Cir. 2019) (cleaned up). “An order is contrary to the law when it fails to apply or misapplies relevant statutes, case law, or rules of procedure.” *Id.* (cleaned up).

The Court reviewed both the magistrate judge’s order and Annabel’s objection. Since the magistrate judge’s ruling is not “clearly erroneous or contrary to law,” it is hereby,

ORDERED that Annabel’s objection to the portion of the magistrate judge’s October 18, 2024 order denying his motion to consolidate cases (ECF No. 35) is overruled.

IT IS FURTHER ORDERED that the portion of the magistrate judge’s October 18, 2024 order denying Annabel’s motion to consolidate cases (ECF No. 34) is affirmed.

Dated: November 20, 2024

s/Robert J. White
Robert J. White
United States District Judge